

RECEIVED
CENTRAL FAX CENTER

JUN 09 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**OFFICIAL**

Applicant: Donald C. Mann (as corrected)

Assignee: UltraCard, Inc.

RECEIVED

Title: Data Storage Device, Apparatus and Method for Using Same JUN 15 2004

OFFICE OF PETITIONS

Serial No.: 09/693,271 File Date: 10/20/2000

Examiner: Not Yet Assigned Art Unit: 2185

Docket No.: ULT-001-1

Date: June 9, 2004

Mail Stop Petition (Attention Examiner Cliff Congo)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SECOND RESUBMISSION OF PETITION FOR REVIVAL OF AN APPLICATION**FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Dear Sir:

A petition to revive this abandoned patent application was mailed to the Office of Petitions on January 21, 2004. The undersigned spoke to Examiner Congo by telephone on May 25, 2004, and Examiner Congo stated that a decision on the petition has not been issued, but that the fee associated with the petition has been charged to deposit account 50-0574 (a copy of the statement showing the charges is enclosed. Accordingly, it is assumed that the petition for the present case is misplaced at the Office.

On June 3, 2004, the Petition and all documents submitted with the Petition were resubmitted to the Office. On June 9, 2004, Examiner Congo told the undersigned that he had received an Information Disclosure Statement and a box of references that

had been submitted with the resubmitted papers, but that the Petition itself was not in the box.

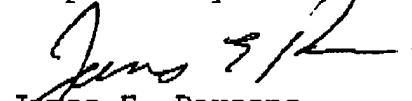
Accordingly, enclosed herewith is a copy of all documents submitted with the original Petition, including a stamped Return Receipt Postcard showing that the Petition was received at the Office on January 23, 2004, but excluding the box of references.

Please issue a decision on the petition as soon as possible. Please do not re-charge any fees to deposit account 50-0574 that already have been charged with respect to this petition. If, however, any appropriate fees were not previously charged, or constitute further charges not previously assessed, then such additional fees may be charged to deposit account 50-0574.

If there are any questions, please telephone the undersigned at 408 451-5906 to expedite prosecution of this case.

Respectfully submitted,

Customer No.: 022888


James E. Parsons
Attorney for Applicant
Reg. No. 34,691

I hereby certify that this correspondence is being sent by facsimile to 703 872 9306 on June 9, 2004.

6/9/04
Date

James E. Parsons
Signature: James E. Parsons

Practitioner's Docket No. ULT-001-1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Donald C. Mann et al. (as corrected) Group No.: 2185

Serial No.: 09/693,271

Filed: 10/20/2000

For: Data Storage Device, Apparatus, and Method for Using Same

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF MISSING PARTS

- I. This replies to the Notice to File Missing Parts of Nonprovisional Application mailed on October 14, 2000. A copy of the Notice to File Missing Parts is enclosed.

CORRECTION OF INVENTORSHIP PURSUANT TO 37 CFR 1.48(f)(1) AND SUBMISSION OF INVENTOR DECLARATION OR OATH

- II. The application as filed included an unsigned inventor declaration that listed four inventors. Two of the four listed inventors, William Zeissner and Robert L. Parkinson, were incorrectly named. The correct inventors are Donald C. Mann and Bert D. Cook. Enclosed is the original declaration or oath for this application, as signed by Donald C. Mann and Bert D. Cook.

ENTITY STATUS

- III. Applicant is a ☐ large / ☒ small entity.

REQUEST FOR CORRECTED FILING RECEIPT

- IV. Attached is a copy of the official filing receipt for which issuance of a corrected filing receipt is respectfully requested. Inventors William Zeissner and Robert L. Parkinson were incorrectly named and should be deleted.

TOTAL FEE DUE

- V. The total fees due are: \$65.00. Please charge Deposit Account No. 50-0574 for these fees and any additional fees that may be due by this paper.

Customer No. 022888


James E. Parsons, Reg. No. 34,691
Telephone (408) 451-5906

I hereby certify that this correspondence is being deposited with the United States Postal Service as FIRST CLASS MAIL in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Date: January 21, 2004 Signature: 
Name: Carrie Reddick



UNITED STATES PATENT AND TRADEMARK OFFICE

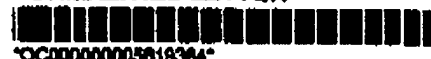
COPY

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20230
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/693,271	10/20/2000	William Zeissner	5580 413436/100

Daniel J Meaney Jr Esq
PO Box 22307
Santa Barbara, CA 93121

FORMALITIES LETTER



0000000005818384

Date Mailed: 12/14/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(a) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

COPY

BEST AVAILABLE COPY



UNITED STATES PATENT AND TRADEMARK OFFICE

COPY

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO.	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/693,271	10/20/2000	2185	1055	5580 413436/100	23	80	7

Daniel J. Meaney Jr Esq
PO Box 22307
Santa Barbara, CA 93121

FILING RECEIPT



0C00000005610343

Date Mailed: 12/14/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

~~William Zeisner, Fountain Valley, CA;~~
~~Robert L. Perkins, Placentia, CA;~~
Donald C. Mann, Thousand Oaks, CA;
Bert D. Cook JR., Morgan Hill, CA;

Continuing Data as Claimed by Applicant

THIS APPLN CLAIMS BENEFIT OF 60/161,302 10/23/1999

Foreign Applications

If Required, Foreign Filing License Granted 12/13/2000

** SMALL ENTITY **

Title

Data storage device, apparatus and method for using same

Preliminary Class

711

Form PTO-1595
(Rev. 10/02)
OMB No. 0651-0027 (exp. 6/30/2005)

RECORDATION FORM COVER SHEET
PATENTS ONLY

U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office
Any. Dkt. No.: ULT-001-1

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

MANN, Donald C.; and COOK, Jr., Bert D.

Additional name(s) of conveying party(ies) attached?

☐ Yes ☒ No

2. Name and address of receiving party(ies):

Name: **ULTRACARD, INC.**

Street Address: **980 University Avenue**

City/State/Zip: **Los Gatos, CA 95032**

Additional name(s) & address(es) attached?

☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment
☐ Security Agreement
☐ Other

☐ Merger
☐ Change of Name

Execution Date: **May 22, 2001 & May 29, 2001**

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s): **09/693,271**

B. Patent No.(s):

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name:

**James E. Parsons, Esq.
Bever, Hoffman & Harms, LLP
2099 Gateway Place, Suite 320
San Jose, CA 95110-1017**

6. Total number of applications and patents involved: **[1]**

7. Total fee (37 CFR 3.41) **\$40.00**
☐ Enclosed
☒ Authorized to be charged to deposit account

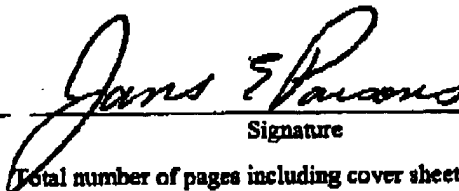
8. Deposit account number: **50-0574**
(Attorney Docket No.: ULT-001-1)

DO NOT USE THIS SPACE

9. Signature.

James E. Parsons

Name of Person Signing



Signature

January 21, 2004

Date

Total number of pages including cover sheet, attachments, and document: **[5]**

Mail documents to be recorded with required cover sheet information to:
Mail Stop Assignment Recordation Services
Director of the U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

263

051001 5580 413436/100

ASSIGNMENT (Joint Inventors)

Whereas, we, DONALD C. MANN, BERT D. COOK, JR., WILLIAM ZEISSNER and ROBERT L. PARKISON, all citizens of the United States of America, and residents of Thousand Oaks, California, Morgan Hill, California, Fountain Valley, California and Placentia, California, respectively, and whose addresses appear below (hereinafter collectively referred to as "ASSIGNORS"), have invented certain new and useful improvements in DATA STORAGE DEVICE, APPARATUS AND METHOD FOR USING SAME (hereinafter referred to as the "INVENTION") for which an application for United States Letters Patent was

executed on even date herewith

executed on:

X filed on: October 20, 2000

Serial No. : 09/693,271

established by PCT International Patent Application No.:

Filed:

WHEREAS, ULTRACARD, INC., a California corporation, whose post office address is 980 University Avenue, Los Gatos, California 95032 (hereinafter referred to as "ASSIGNEE"), is desirous of acquiring the entire right, title and interest in and to the same in the United States and throughout the world;

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, we, ASSIGNORS, by these presents do sell, assign and transfer until said ASSIGNEE, the entire right, title and interest in and to the said INVENTION and application throughout the United States of America, including any and all United States Letters Patent granted on any division, continuation, continuation-in-part and reissue of said application; and the entire right, title and interest in and to the said INVENTION throughout the world, including the right to apply for patents and inventor certificates in respect thereof and to claim priority pursuant to rights accorded ASSIGNORS under the terms of the Paris International Convention and all other available international conventions and treaties; and the entire right, title and interest in and to any and all patents, patents of addition, utility models, patents of importation, revalidation patents and inventor certificates which may be granted throughout the world in respect of said INVENTION.

ALSO, ASSIGNORS hereby agree to execute any documents that legally may be required in connection with the filing, prosecution and maintenance of said application or any other patent application(s) or inventor certificate(s) in the United States and in foreign countries for said INVENTION, including additional documents that may be required to affirm the rights of ASSIGNEE in and to said INVENTION, all without further consideration. ASSIGNORS also agree, without further

263

051001 5580 413436/100

consideration and at ASSIGNEE'S expense, to identify and communicate to ASSIGNEE at ASSIGNEE'S request documents and information concerning the INVENTION that are within ASSIGNORS' possession or control, and to provide further assurances and testimony on behalf of ASSIGNEE that lawfully may be required of ASSIGNORS in respect of the prosecution, maintenance and defense of any patent application or patent encompassed within the terms of this instrument. ASSIGNORS' obligations under this instrument shall extend to ASSIGNORS' heirs, executors, administrators and other legal representatives.

ASSIGNORS hereby authorize and request the Commissioner of Patents and Trademarks to issue any and all United States Letters Patent referred to above to ASSIGNEE, as the ASSIGNEE of the entire right, title and interest in and to the same, for ASSIGNEE'S sole use and behoof; and for the use and behoof of ASSIGNEE'S legal representatives and successors, to the full end of the term for which such Letters Patent may be granted, as fully and entirely as the same would have been held by ASSIGNORS had this assignment and sale not been made.

IN WITNESS WHEREOF, we have hereunto signed our names on the date and year set forth below.

Assignors

Place of Signing: Campbell, California
Full Name of Assignor: Donald C. Mann
Assignor's Signature: *Donald C. Mann* Date: May 22, 2001
Residence Address: 750 Camino Las Conchas
Thousand Oaks, California 91360

Place of Signing: Campbell, California
Full Name of Assignor: Bert D. Cook, Jr.
Assignor's Signature: *Bert D. Cook, Jr.* Date: May 29, 2001
Residence Address: 1125 Easy Street
Morgan Hill, California 95037

Place of Signing: Fountain Valley, California
Full Name of Assignor: William Zeissner
Assignor's Signature: *William Zeissner* Date: May 29, 2001
Residence Address: 8728 Frazer River Circle
Fountain Valley, California, 92708

Place of Signing: Placentia, California
Full Name of Assignor: Robert L. Parkison
Assignor's Signature: *Robert L. Parkison* Date: May 29, 2001
Residence Address: 507 Shoshoni Avenue
Placentia, California 92870

263

051001 5580 413436/100

STATE OF CALIFORNIA

COUNTY OF SAN JOSE

ss.

On this 22 day of May, 2001,
before me, Kimberly Fahrenkrog, a
Notary Public in and for said County
and State, personally appeared Donald
C. Mann and Bert D. Cook, Jr.
personally known to me (or proved to
me on the basis of satisfactory
evidence) to be the persons whose
names are subscribed to the within
instrument and acknowledged to me that
they executed the same in their
authorized capacity, and that by their
signature on the instrument the
person, or the entity upon behalf of
which the person acted, executed the
instrument.

WITNESS my hand and official seal.

Signature

Kimberly Fahrenkrog

FOR NOTARY SEAL OR STAMP



263

051001 5580 413436/100

STATE OF CALIFORNIA

COUNTY OF ORANGE

) ss.
)
)

On this ____ day of May, 2001,
before me, _____, a
Notary Public in and for said County
and State, personally appeared William
Zeissner and Robert L. Parkinson,
personally known to me (or proved to
me on the basis of satisfactory
evidence) to be the persons whose
names are subscribed to the within
instrument and acknowledged to me that
they executed the same in their
authorized capacity, and that by their
signature on the instrument the
person, or the entity upon behalf of
which the person acted, executed the
instrument.

WITNESS my hand and official seal.

Signature

FOR NOTARY SEAL OR STAMP

263 5580aseg

Supplemental Application Data Sheet

Application Information

Application Number:: 09693271
Filing Date:: 10/20/00
Application Type:: Regular
Subject Matter:: Utility
CD-ROM or CD-R? None
Title:: Data Storage Device, Apparatus And
Method For Using Same
Attorney Docket Number:: ULT-001-1
Request for Early Publication?:: No
Request for Non-Publication?:: No
Suggested Drawing Figure:: 38
Total Drawing Sheets:: 23
Small Entity:: Yes
Petition Included?:: Yes
Secrecy Order in Parent Appl.?:: No

Applicant Information

Applicant Authority type:: Inventor
Primary Citizenship Country:: US
Status:: Full Capacity
Given Name:: Donald
Middle Name:: C.
Family Name:: Mann
City of Residence:: Thousand Oaks
State or Province of Residence:: CA
Country of Residence:: US
Street of mailing address:: 750 Camino Las Conchas
Country of mailing address:: US
Postal or Zip Code of
mailing address:: 91360

Applicant Information

Applicant Authority type:: Inventor
Primary Citizenship Country:: US
Status:: Full Capacity

Given Name:: Bert
Middle Name:: C.
Family Name:: Cook
Name Suffix:: Jr.
City of Residence:: Morgan Hill
State or Province of Residence:: CA
Country of Residence:: US
Street of mailing address:: 1125 Easy Street
Country of mailing address:: US
Postal or Zip Code of mailing address:: 95037

Correspondence Information

Correspondence Customer Number:: 022888
Phone number:: 408-451-5908
Fax number:: 408-451-5908
E-Mail address:: jparsons@beverlaw.com

Representative Information

Representative Customer Number:: 022888

Domestic Priority Information

Application::	Continuity Type::	Parent Application::	Parent Filing Date::
This application	An application claiming the benefit under 35 USC 119(e)	60161302	10/23/99

Assignee Information

Assignee Name:: ULTRACARD, INC.
Street of mailing address:: 980 University Avenue
City of mailing address:: Los Gatos
State of Province of mailing address:: CA
Country of of mailing address:: US
Postal or Zip Code of mailing address:: 95032



**United States
Patent and
Trademark Office**

COPY

RECEIVED

JUN 15 2004

OFFICE OF PETITIONS

Deposit Account Statement

Requested Statement Month: January 2004
Deposit Account Number: 500574
Name: BEVER, HOFFMAN & HARMS, LLP
Attention: CARRIE REDDICK, OFFICE MANAGER
Address: 2099 GATEWAY PLACE
City: SAN JOSE
State: CA
Zip: 95110

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
01/02	185	10099520	IDT-1704	1251	\$110.00	\$19,819.00
01/05	89	10748024	BK-00004	1001	\$770.00	\$19,049.00
01/05	90	10748024	BK-00004	1202	\$360.00	\$18,889.00
01/06	31	10746772	HER-001	2001	\$385.00	\$18,304.00
01/06	32	10746772	HER-001	2201	\$86.00	\$18,218.00
01/06	33	10746772	HER-001	2202	\$90.00	\$18,128.00
01/08	15	10746024	BK-00004	8021	\$40.00	\$18,088.00
01/08	32	E-REPLENISHMENT		9203	-\$5,000.00	\$23,088.00
01/08	140	10194703	NTI-001-1D	1201	\$344.00	\$22,744.00
01/08	142	10215802	M-12054 US	1201	\$172.00	\$22,572.00
01/08	143	10215802	M-12054 US	1202	\$324.00	\$22,248.00
01/08	144	10215802	M-12054 US	1251	\$110.00	\$22,138.00
01/08	204	09838084	IDT 1651	1252	\$420.00	\$21,718.00
01/08	377	10340492	M-12074-1C U	1501	\$1,330.00	\$20,388.00
01/08	378	10340492	M-12074-1C U	1504	\$300.00	\$20,088.00
01/08	379	10340492	M-12074-1C U	8001	\$9.00	\$20,079.00
01/09	3	09053140	SYN0101	1803	\$130.00	\$19,949.00
01/09	4	09053140	SYN0101	1504	\$300.00	\$19,649.00
01/09	46	09825724	ERT-009	2251	\$55.00	\$19,594.00
01/09	47	09825724	ERT-009	2201	\$43.00	\$19,551.00
01/09	92	10752636	D&F-037	1001	\$770.00	\$18,781.00
01/09	93	10752636	D&F-037	1202	\$72.00	\$18,709.00
01/12	45	E-REPLENISHMENT		9203	-\$5,000.00	\$23,709.00
01/13	1	PCT/US04/00349	KLA-006F1 WO	1601	\$300.00	\$23,409.00
01/13	2	PCT/US04/00349	KLA-006F1 WO	1704	\$1,818.00	\$21,591.00
01/13	3	PCT/US04/00349	KLA-006F1 WO	1701	\$961.00	\$20,630.00
01/13	4	PCT/US04/00349	KLA-006F1 WO	1703	\$198.00	\$20,432.00
01/13	5	PCT/US04/00349	KLA-006F1 WO	8007	\$20.00	\$20,412.00
01/14	265	10056321	D&F-020	2501	\$665.00	\$19,747.00
01/14	266	10056321	D&F-020	1504	\$300.00	\$19,447.00
01/14	267	10056321	D&F-020	8001	\$27.00	\$19,420.00

01/27 19	09693271	5580 413436/	2051	\$65.00	\$34,425.00
01/27 20	09693271	5580 413436/	2453	\$665.00	\$33,780.00
01/27 70	10217490	SNSY-A1998-0	1202	\$108.00	\$33,652.00
01/27 71	10217490	SNSY-A1998-0	1201	\$88.00	\$33,566.00
01/27 91	10154395	TSL-109	1501	\$1,330.00	\$32,236.00
01/27 92	10154395	TSL-109	1504	\$300.00	\$31,936.00
01/27 93	10154395	TSL-109	8001	\$8.00	\$31,930.00
01/28 32	09663832	ULT-010	2453	\$665.00	\$31,265.00
01/28 33	09663832	ULT-010	1806	\$180.00	\$31,085.00
01/28 39	09663659	5573-413436/	2453	\$665.00	\$30,420.00
01/28 40	09663659	5573-413436/	1806	\$180.00	\$30,240.00
01/29 26	29152434	5603 413436	2453	\$665.00	\$29,575.00
01/29 27	29152434	5603 413436	1806	\$180.00	\$29,395.00
01/29 28	29152434	5603 413436	2814	\$55.00	\$29,340.00
01/29 29	29152432	ULT-007	2453	\$665.00	\$28,675.00
01/29 30	29152432	ULT-007	2814	\$55.00	\$28,620.00
01/29 31	29152432	ULT-007	1806	\$180.00	\$28,440.00
01/29 32	29152431	ULT-006	2453	\$665.00	\$27,775.00
01/29 33	29152431	ULT-006	2814	\$55.00	\$27,720.00
01/29 102	09491681	CTV-001	2402	\$185.00	\$27,555.00
01/29 105	10760024	ATH-0116	8021	\$40.00	\$27,515.00
01/29 152	PCT/US04/01860	ATH0114-1PF2	1601	\$300.00	\$27,215.00
01/29 153	PCT/US04/01860	ATH0114-1PF2	1602	\$1,000.00	\$26,215.00
01/29 154	PCT/US04/01860	ATH0114-1PF2	1701	\$981.00	\$25,254.00
01/29 155	PCT/US04/01860	ATH0114-1PF2	1703	\$385.00	\$24,869.00
01/29 156	PCT/US04/01860	ATH0114-1PF2	8007	\$60.00	\$24,809.00
01/29 257	PCT/US04/01974	UMX011-1PF1	1601	\$300.00	\$24,509.00
01/29 258	PCT/US04/01974	UMX011-1PF1	1602	\$1,000.00	\$23,509.00
01/29 259	PCT/US04/01974	UMX011-1PF1	1701	\$981.00	\$22,548.00
01/29 260	PCT/US04/01974	UMX011-1PF1	1703	\$44.00	\$22,504.00
01/29 261	PCT/US04/01974	UMX011-1PF1	8007	\$40.00	\$22,464.00
01/29 358	29153431	46475.	2502	\$240.00	\$22,224.00
01/29 359	29153431	46475.	8001	\$8.00	\$22,218.00
01/29 444	09263978	ADV-001	2501	\$665.00	\$21,553.00
01/29 445	09263978	ADV-001	8001	\$8.00	\$21,547.00
01/30 6	10013396	M-11317 US	1501	\$1,330.00	\$20,217.00
01/30 7	10013396	M-11317 US	8001	\$3.00	\$20,214.00
01/30 8	10013396	M-11317 US	1460	\$130.00	\$20,084.00
01/30 28	60539426	TSL-130(PRV)	1005	\$160.00	\$19,924.00
01/30 40	09693271	ULT-001-1	8021	\$40.00	\$19,884.00
01/30 67	5543868	CAT-02790	2552	\$1,045.00	\$18,839.00
01/30 68	5548551	CAT-02798	2552	\$1,045.00	\$17,794.00
01/30 119	10765697	INFMN-003	1001	\$770.00	\$17,024.00
01/30 141	10664792	ATH-0133	2001	\$385.00	\$16,639.00
01/30 142	10664792	ATH-0133	2051	\$65.00	\$16,574.00
01/30 143	10664792	ATH-0133	2201	\$344.00	\$16,230.00
01/30 144	10664792	ATH-0133	2202	\$36.00	\$16,194.00
01/30 198	09923834	M-10966US	1252	\$420.00	\$15,774.00
01/30 310	10361123	UMX-013	2501	\$665.00	\$15,109.00
01/30 311	10361123	UMX-013	1504	\$300.00	\$14,809.00
01/30 312	10361123	UMX-013	8001	\$6.00	\$14,803.00

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COPY

1st Inventor: Donald C. Mann (as corrected)
Serial No.: 09/693,271 Filed: 10/20/2000
Assignee: UltraCard, Inc.
Title: "Data Storage Device, Apparatus And Method For Using Same"

Dkt. No: ULT-001-1

ENCLOSED:

- 1 page - Transmittal Form
 - 1 page - Fee Transmittal (PTO/SB/17) - in duplicate
 - 1 page - Petition For Revival (PTO/SB/64)
 - 1 page - copy of executed Power of Attorney By Assignee...With Revocation of Prior Powers plus 3 pgs. Assignment signed by Mann & Cook, Jr.
 - 1 page - Response To Missing Parts dated 10/14/2000 including copy of Notice To File Missing Parts (1 pg) & Request to correct Filing Receipt (marked-up Filing Receipt included)
 - 2 pages - Supplemental Application Data Sheet
 - 1 page - copy of executed Declaration For Patent Application
 - 5 pages - Recordation Form Cover Sheet & copy of executed Assignment
 - 2 pages - Information Disclosure Statement plus 14 pages 1449 and 186 copies of cited references
- return receipt Postcard
JEP :cr

Date Mailed: 1/21/2004

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

1st Inventor: Donald C. Mann (as corrected)
Serial No.: 09/693,271 Filed: 10/20/2000
Assignee: UltraCard, Inc.
Title: "Data Storage Device, Apparatus And Method For Using Same"

Dkt. No: ULT-001-1

ENCLOSED:

- 1 page - Transmittal Form
 - 1 page - Fee Transmittal (PTO/SB/17) - in duplicate
 - 1 page - Petition For Revival (PTO/SB/64)
 - 1 page - copy of executed Power of Attorney By Assignee...With Revocation of Prior Powers plus 3 pgs. Assignment signed by Mann & Cook, Jr.
 - 1 page - Response To Missing Parts dated 10/14/2000 including copy of Notice To File Missing Parts (1 pg) & Request to correct Filing Receipt (marked-up Filing Receipt included)
 - 2 pages - Supplemental Application Data Sheet
 - 1 page - copy of executed Declaration For Patent Application
 - 5 pages - Recordation Form Cover Sheet & copy of executed Assignment
 - 2 pages - Information Disclosure Statement plus 14 pages 1449 and 186 copies of cited references
- return receipt Postcard
JEP :cr

Date Mailed: 1/21/2004

RECEIVED
JAN 23 2004
HOFER, HOFFMAN & HARRIS



PTO/SB/21 (03-03)

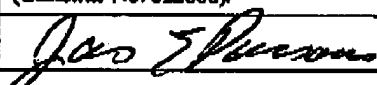
Approved for use through 04/30/2003. OMB 0651-0031


Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<h1>TRANSMITTAL FORM</h1> <p>(to be used for all correspondence after initial filing)</p>		Application Number	09/693,271
		Filing Date	10/20/2000
		First Named Inventor	Donald C. Mann (as corrected)
		Art Unit	2185
		Examiner Name	Not Yet Assigned.
Total Number of Pages in This Submission	35	Attorney Docket Number	ULT-001-1

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Petition For Revival (PTO/SB/64) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Amendment / Response <input type="checkbox"/> Response To Office Action <input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Deposit Account 50-0574 <input checked="" type="checkbox"/> Information Disclosure Statement including 1449 and copies of cited references <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Notice to File Missing Parts under 37 CFR 1.53(b) <input checked="" type="checkbox"/> copy of executed Declaration For Patent Application	<input checked="" type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Request To Amend Drawings <input type="checkbox"/> Redline Drawings <input checked="" type="checkbox"/> Power of Attorney, By Assignee to Exclusion of Inventor Under 37 CFR 3.71 With Revocation of Prior Powers <input type="checkbox"/> Statement Under 37 CFR 3.73(b) <input type="checkbox"/> Request for Refund <input type="checkbox"/> Extension of Time Request <input checked="" type="checkbox"/> Application Data Sheet (Supplemental)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): Return-receipt postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT	
Firm or Individual name	James B. Parsons, Reg. No. 34,691, BEVER, HOFFMAN & HARMS, LLP (Customer No. 022888).
Signature	
Date	January 21, 2004

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Carrie Reddick		
Signature		Date	January 21, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

PTO/SB/17 (05-03)

Approved for use through 04/30/2003. OMV 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE**FEE TRANSMITTAL
for FY 2004**

Effective 01/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 C.F.R. § 1.27**TOTAL AMOUNT OF PAYMENT (\$)** 730.00**Complete if Known**

Application Number	09/693,271
Filing Date	10/20/2000
First Named Inventor	Donald C. Mann (as corrected)
Examiner Name	Not Yet Assigned
Art Unit	2185
Attorney Docket Number	ULT-001-1

METHOD OF PAYMENT (check one)1. ☒ The Director is authorized to charge indicated fees and credit any over payments to:Deposit Acct. No. **50-0574 (Docket No. ULT-001-1)**Deposit Acct Name **Bever, Hoffman & Harms, LLP**☒ Charge Any Additional Fee Required Under 37 CFR § 1.16 & 1.172. ☐ Payment Enclosed:☐ Check ☐ Credit Card ☐ Money Order ☐ Other**FEE CALCULATION****1. BASIC FILING FEE**

Large Fee Code	Small Fee Code	Large Fee (\$)	Small Fee (\$)	Fee Description	Fee Paid
1001	2001	770	385	Utility filing fee	
1002	2002	340	170	Design filing fee	
1003	2003	530	265	Plant filing fee	
1004	2004	770	385	Reissue filing fee	
1005	2005	160	80	Provisional filing fee	

SUBTOTAL (1) (\$)**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =		
Multiple Dependent	-3** =		

**or number previously paid, if greater: For Reissues, see below

Large Fee Code	Small Fee Code	Large Fee (\$)	Small Fee (\$)	Fee Description	Fee Paid
1202	2202	18	9	Claims in excess of 20	
1201	2201	86	43	Independent claims in excess of 3	
1203	2203	290	145	Multiple dependent claim, if not paid	
1204	2204	86	43	**Reissue independent claims over original patent	
1205	2205	18	9	**Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$)**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Fee Code	Small Fee Code	Large Fee (\$)	Small Fee (\$)	Fee Description	Fee Paid
1001	2001	130	65	Surcharge - late filing fee or oath	65.00
1002	2002	30	25	Surcharge - late provisional filing fee or cover sheet	
1003	1003	130	130	Non-English specification	
1812	1812	2,520	2,520	For filing a request for an <i>ex parte</i> reexamination	
1804	1804	920*	920*	Requesting publication of SIR prior to Examiner action	
1805	1805	1,840*	1,840*	Requesting publication of SIR after Examiner action	
1251	2251	110	55	Extension for reply within first month	
1252	2252	420	210	Extension for reply within second month	
1253	2253	950	475	Extension for reply within third month	
1254	2254	1480	740	Extension for reply within fourth month	
1255	2255	2,010	1,005	Extension for reply within fifth month	
1401	2401	130	165	Notice of Appeal	
1402	2402	130	165	Filing a brief in support of an appeal	
1403	2403	290	145	Request for oral hearing	
1451	2451	1,310	1,310	Petition to institute a public use proceeding	
1452	2452	110	55	Petition to revive - unavoidable	
1453	2453	1,330	665	Petition to revive - unintentional	665.00
1501	2501	1,330	665	Utility issue fee (or reissue)	
1502	2502	480	240	Design issue fee	
1503	2503	640	320	Plant issue fee	
1460	1460	130	130	Petitions to the Commissioner	
1807	1807	30	90	Petitions related to provisional applications	
1806	1806	180	180	Submission of Information Disclosure Sheet	
8021	8021	40	40	Recording each patent assignment per property (times number of properties)	
1809	2809	770	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	2810	770	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	2801	770	385	Request for Continued Examination (RCE)	
1802	1802	900	900	Request for expedited examination of a design application	

Other fee (Specify)

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 730.00**SUBMITTED BY**

Name (Print Type)	James E. Parsons	Registration No. (Attorney Agent)	34,691	Telephone	(408) 451-5906
Signature	<i>James E. Parsons</i>	Date	January 21, 2004		

PTO/SB/04 (11-03)
 approved for use through 07/31/2008. OMB 0851-0031
 Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
 UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)
 ULT-001-1

First named inventor: Donald C. Mann (as corrected)

Application No.: 08/893,271

Art Unit:

2185

Filed: 10/20/2000

Examiner:

Not Yet Assigned

Title: "Data Storage Device, Apparatus and Method for Using Same"

Attention: Office of Petitions
 Mail Stop Petition
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450
 FAX: (703) 872-8308

OFFICIAL
RECEIVED
CENTRAL FAX CENTER
JUN 09 2004

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-8282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal Disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications;
- (4) Statement that the entire delay was unintentional.

1. Petition fee

- ☒ Small entity - fee \$ 895.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 C.F.R. § 1.27.
☐ Other than small entity - fee \$ 1300.00 (37 CFR 1.17(m))

2. Reply and/or fee

- A. The reply and/or fee to the above noted Office action in the form of
Response To Notice To File Missing Parts of Nonprovisional Application (mailed 12/14/2000) (identify type of reply):
☐ has been filed previously on _____
☒ is enclosed herewith.

B. The issue fee of \$ _____

- ☐ has been paid previously on _____
☐ is enclosed herewith.

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/03).

4. STATEMENT. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. (NOTE: The USPTO may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).

Date: January 21, 2004

Customer No. 022858

James E. Parsons
 James E. Parsons, Reg. No. 34,691
 Beaver, Hoffman & Hanna, LLP

Enclosures: ☒ Fee Payment ☒ Response To Missing Parts ☐ Reply ☐ Terminal Disclaimer Form
☐ Additional Sheets establishing unintentional delay ☒ Other: see Transmittal sheet enclosed

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(A)]

I hereby certify that this correspondence is being:

- ☒ deposited with the US Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to:
 Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

- ☐ transmitted by facsimile on the date shown below to the U.S. Patent and Trademark Office at (703) 872-9308

January 21, 2004

Date

Signature: *Carrie Reddick*

Name: Carrie Reddick

Practitioner's Docket No.: ULT-001-1

PATENT

**POWER OF ATTORNEY BY ASSIGNEE
TO EXCLUSION OF INVENTOR
UNDER 37 C.F.R. § 3.71
WITH REVOCATION OF PRIOR POWERS**

The undersigned ASSIGNEE of the entire interest in:

☐ U.S. Patent No. _____
☒ U.S. Application No. 09/593,271, filed on 10/20/2000

hereby appoints the attorneys and agents of:

Bever, Hoffman & Hays, LLP
Customer Number 22888

which attorneys and agents are registered to practice before the United States Patent and Trademark Office, to prosecute this application and transact all business in the United States Patent and Trademark Office in connection therewith and hereby revokes all prior powers of attorney; said appointment to be to the exclusion of the inventors and the inventors' attorneys in accordance with the provisions of 37 C.F.R. § 3.71.

The following evidentiary documents establish a chain of title from the original owner to the Assignee: the Assignment recorded on 10/23/1999 at reel 010617, frame 0290, and a copy of an Assignment attached hereto, which Assignment is herewith forwarded to the Patent and Trademark Office for recording.

Pursuant to 37 C.F.R. § 3.73(b) the undersigned Assignee hereby states that evidentiary documents have been reviewed and hereby certifies that, to the best of ASSIGNEE's knowledge and belief, title is in the identified ASSIGNEE.

Direct all correspondence and telephone calls to: Customer Number 22888.

ASSIGNEE: UltraCard, Inc.

Name: 
Daniel P. Kehoe, President & CEO

Date: 12-23-03

263

051001 5580 413436/100

ASSIGNMENT
(Joint Inventors)

Whereas, we, DONALD C. MANN, BERT D. COOK, JR., WILLIAM ZEISSNER and ROBERT L. PARKISON, all citizens of the United States of America, and residents of Thousand Oaks, California, Morgan Hill, California, Fountain Valley, California and Placentia, California, respectively, and whose addresses appear below (hereinafter collectively referred to as "ASSIGNORS"), have invented certain new and useful improvements in DATA STORAGE DEVICE, APPARATUS AND METHOD FOR USING SAME (hereinafter referred to as the "INVENTION") for which an application for United States Letters Patent was

— executed on even date herewith

— executed on:

X filed on: October 20, 2000

Serial No.: 09/693,271

— established by PCT International Patent Application No.:
Filed:

WHEREAS, ULTRACARD, INC., a California corporation, whose post office address is 980 University Avenue, Los Gatos, California 95032 (hereinafter referred to as "ASSIGNEE"), is desirous of acquiring the entire right, title and interest in and to the same in the United States and throughout the world;

NOW, THEREFORE, for good and valuable consideration, receipt of which is hereby acknowledged, we, ASSIGNORS, by these presents do sell, assign and transfer until said ASSIGNEE, the entire right, title and interest in and to the said INVENTION and application throughout the United States of America, including any and all United States Letters Patent granted on any division, continuation, continuation-in-part and reissue of said application; and the entire right, title and interest in and to the said INVENTION throughout the world, including the right to apply for patents and inventor certificates in respect thereof and to claim priority pursuant to rights accorded ASSIGNORS under the terms of the Paris International Convention and all other available international conventions and treaties; and the entire right, title and interest in and to any and all patents, patents of addition, utility models, patents of importation, revalidation patents and inventor certificates which may be granted throughout the world in respect of said INVENTION.

ALSO, ASSIGNORS hereby agree to execute any documents that legally may be required in connection with the filing, prosecution and maintenance of said application or any other patent application(s) or inventor certificate(s) in the United States and in foreign countries for said INVENTION, including additional documents that may be required to affirm the rights of ASSIGNEE in and to said INVENTION, all without further consideration. ASSIGNORS also agree, without further

263

051001 5580 413436/100

consideration and at ASSIGNEE'S expense, to identify and communicate to ASSIGNEE at ASSIGNEE'S request documents and information concerning the INVENTION that are within ASSIGNORS' possession or control, and to provide further assurances and testimony on behalf of ASSIGNEE that lawfully may be required of ASSIGNORS in respect of the prosecution, maintenance and defense of any patent application or patent encompassed within the terms of this instrument. ASSIGNORS' obligations under this instrument shall extend to ASSIGNORS' heirs, executors, administrators and other legal representatives.

ASSIGNORS hereby authorize and request the Commissioner of Patents and Trademarks to issue any and all United States Letters Patent referred to above to ASSIGNEE, as the ASSIGNEE of the entire right, title and interest in and to the same, for ASSIGNEE'S sole use and behoof; and for the use and behoof of ASSIGNEE'S legal representatives and successors, to the full end of the term for which such Letters Patent may be granted, as fully and entirely as the same would have been held by ASSIGNORS had this assignment and sale not been made.

IN WITNESS WHEREOF, we have hereunto signed our names on the date and year set forth below.

AssignorsPlace of Signing: Campbell, CaliforniaFull Name of Assignor: Donald C. MannAssignor's Signature: [Signature] Date: May 22, 2001Residence Address: 750 Camino Las Conchas
Thousand Oaks, California 91360Place of Signing: Campbell, CaliforniaFull Name of Assignor: Bert D. Cook, Jr.Assignor's Signature: [Signature] Date: May 29, 2001Residence Address: 1125 Easy Street
Morgan Hill, California 95037Place of Signing: Fountain Valley, CaliforniaFull Name of Assignor: William ZeisnerAssignor's Signature: [Signature] Date: May 2, 2001Residence Address: 8728 Frazer River Circle
Fountain Valley, California, 92708Place of Signing: Placentia, CaliforniaFull Name of Assignor: Robert L. ParkisonAssignor's Signature: [Signature] Date: May 2, 2001Residence Address: 507 Shoshoni Avenue
Placentia, California 92870

263

051001 5580 413436/100

STATE OF CALIFORNIA)

COUNTY OF SAN JOSE)

ss.

On this 22 day of May, 2001,
before me, Kimberly Fahrenkrog, a
Notary Public in and for said County
and State, personally appeared Donald
C. Mann and Bert D. Cook, Jr.
personally known to me (or proved to
me on the basis of satisfactory
evidence) to be the persons whose
names are subscribed to the within
instrument and acknowledged to me that
they executed the same in their
authorized capacity, and that by their
signature on the instrument the
person, or the entity upon behalf of
which the person acted, executed the
instrument.

WITNESS my hand and official seal.

Signature

Kimberly Fahrenkrog

FOR NOTARY SEAL OR STAMP



263

051001 5580 413436/100

STATE OF CALIFORNIA)

COUNTY OF ORANGE)

ss.

On this ____ day of May, 2001,
before me, _____, a
Notary Public in and for said County
and State, personally appeared William
Zeissner and Robert L. Parkinson,
personally known to me (or proved to
me on the basis of satisfactory
evidence) to be the persons whose
names are subscribed to the within
instrument and acknowledged to me that
they executed the same in their
authorized capacity, and that by their
signature on the instrument the
person, or the entity upon behalf of
which the person acted, executed the
instrument.

WITNESS my hand and official seal.

Signature

FOR NOTARY SEAL OR STAMP

263 5580assg